

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION		Docket Number (Optional) X-1464-1P-1P US
--	--	--

In re Application of: **Andy T. Nguyen**
Application No.: **10/696,226** Conf. No: **5260**
Filed: **October 28, 2003**
For: **Counter-Based Phased Clock Generator Circuits and Methods**

The owner*, XILINX, INC., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending second application Application Number 10/651,811, filed on 08-29-2003, the term being defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to the grant of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.

11/17/2004 MBIZUNES 00000021 240040 10696226
01 FC:1814 110.00 DA

11-09-2004

Signature

Date

Lois D. Cartier, 40,941

Typed or printed name

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.



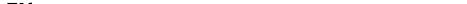
FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 110.00)

FEE TRANSMITTAL for FY 2003		Complete if Known	
<i>Patent fees are subject to annual revision</i>		Application / Conf. No.	10/696,226 / 5260
		Filing Date	October 28, 2003
		First Named Inventor	Andy T. Nguyen
		Examiner Name	Minh T. Nguyen
		Art Unit	2816
TOTAL AMOUNT OF PAYMENT	(\$) 110.00	Attorney Docket No.	
X-1464-1P-1P US			

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																										
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees, any additional fees required, and credit any over payments to:		3. ADDITIONAL FEES																																										
<input checked="" type="checkbox"/> Deposit Account		Code	(\$)	Fee Description																																								
Deposit Account Number	24-0040	1051	130	Surcharge - late filing fee or oath																																								
Deposit Account Name	XILINX, INC.	1052	50	Surcharge - late provisional filing fee or cover sheet.																																								
FEE CALCULATION																																												
1. BASIC FILING FEE																																												
<table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Fee Description</th> <th>Fee</th> </tr> <tr> <th>Fee Paid</th> <th>Fee</th> <th>Fee Description</th> <th>Fee</th> <th></th> </tr> <tr> <th>Code</th> <th>(\$)</th> <th></th> <th></th> <th></th> </tr> </thead> <tbody> <tr> <td>1001</td> <td>770</td> <td>Utility filing fee</td> <td></td> <td></td> </tr> <tr> <td>1002</td> <td>330</td> <td>Design filing fee</td> <td></td> <td></td> </tr> <tr> <td>1003</td> <td>510</td> <td>Plant filing fee</td> <td></td> <td></td> </tr> <tr> <td>1004</td> <td>790</td> <td>Reissue filing fee</td> <td></td> <td></td> </tr> <tr> <td>105</td> <td>160</td> <td>Provisional filing fee</td> <td></td> <td></td> </tr> </tbody> </table>					Large Entity		Fee Description		Fee	Fee Paid	Fee	Fee Description	Fee		Code	(\$)				1001	770	Utility filing fee			1002	330	Design filing fee			1003	510	Plant filing fee			1004	790	Reissue filing fee			105	160	Provisional filing fee		
Large Entity		Fee Description		Fee																																								
Fee Paid	Fee	Fee Description	Fee																																									
Code	(\$)																																											
1001	770	Utility filing fee																																										
1002	330	Design filing fee																																										
1003	510	Plant filing fee																																										
1004	790	Reissue filing fee																																										
105	160	Provisional filing fee																																										
SUBTOTAL (1)		(\$)																																										
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE																																												
<table border="1"> <thead> <tr> <th colspan="2">Total Claims</th> <th>Fee from below</th> <th colspan="2">Fee Paid</th> </tr> <tr> <th colspan="2"></th> <th>-20** =</th> <th>X</th> <th>=</th> </tr> <tr> <th colspan="2">Indep. Claims - 3* =</th> <th>X</th> <th>=</th> <th></th> </tr> <tr> <th colspan="2">Multiple Dependent Claims</th> <th>X</th> <th>=</th> <th></th> </tr> </thead> <tbody> <tr> <td colspan="5">**or number previously paid, if greater; For Reissues, see below</td> </tr> </tbody> </table>					Total Claims		Fee from below	Fee Paid				-20** =	X	=	Indep. Claims - 3* =		X	=		Multiple Dependent Claims		X	=		**or number previously paid, if greater; For Reissues, see below																			
Total Claims		Fee from below	Fee Paid																																									
		-20** =	X	=																																								
Indep. Claims - 3* =		X	=																																									
Multiple Dependent Claims		X	=																																									
**or number previously paid, if greater; For Reissues, see below																																												
Large Entity <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>18</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201</td> <td>86</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203</td> <td>290</td> <td>Multiple dependent claim, if not paid</td> </tr> <tr> <td>1204</td> <td>86</td> <td>**Reissue independent claims</td> </tr> <tr> <td>1205</td> <td>18</td> <td>**Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>					Fee Code	Fee (\$)	Fee Description	1202	18	Claims in excess of 20	1201	86	Independent claims in excess of 3	1203	290	Multiple dependent claim, if not paid	1204	86	**Reissue independent claims	1205	18	**Reissue claims in excess of 20 and over original patent																						
Fee Code	Fee (\$)	Fee Description																																										
1202	18	Claims in excess of 20																																										
1201	86	Independent claims in excess of 3																																										
1203	290	Multiple dependent claim, if not paid																																										
1204	86	**Reissue independent claims																																										
1205	18	**Reissue claims in excess of 20 and over original patent																																										
SUBTOTAL (2)		(\$)																																										
*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 110.00																																												
Other fee (specify) <u>Terminal Disclaimer (1.20(d))</u> \$110																																												

SUBMITTED BY			Complete (if applicable)		
Name (Print/Type)	Lois D. Cartier	Registration No. (Attorney/Agent)	40,941	Telephone	720-652-3733
Signature				Date	11-09-2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia, 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.